

## **RESOLUTION**

### **A RESOLUTION APPROVING A REAL ESTATE PURCHASE AGREEMENT BETWEEN BRESSION CONSTRUCTION, INC., AND THE CITY OF ANKENY, IOWA, FOR PROPERTY LOCATED IN A SUBDIVISION TO BE KNOWN AS CHERRY GLEN ESTATES PLAT #6**

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**WHEREAS**, Bresson Construction, Inc., is platting certain property known as Cherry Glen Estates Plat #6 which will include a 4.66 acre lot to be known as Lot D ; and

**WHEREAS**, the City of Ankeny believes it to be in the best interest of the City to purchase an additional 4.66 acres in Cherry Glen Estates Plat #6 in the southwest corner of NW 8<sup>th</sup> Street and NW Cherry Glen Drive for future city use; and

**WHEREAS**, Bresson Construction, Inc., has determined the fair market value of said property to be \$104,045.44; and

**WHEREAS**, the City of Ankeny staff has negotiated a real estate agreement between Bresson Construction, Inc., and the City of Ankeny that is acceptable to both parties; and

**WHEREAS**, the City Council of the City of Ankeny has determined that the fair market value and conditions of the real estate purchase agreement are appropriate and the City should move forward with the purchase of the property.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Ankeny, Iowa, that the City shall purchase property to be known as Lot D, Cherry Glen Estates Plat #6 (4.66 acres) for the amount of \$104,045.44 to be recognized as payment in full to Bresson Construction, Inc., in lieu of the payment of connection fees for Cherry Glen Estates Plat #6

**BE IT FURTHER RESOLVED** that the agreement between Bresson Construction, Inc., and the City of Ankeny shall be evidenced by the Real Estate Purchase Agreement attached hereto as Exhibit "A".

**BE IT FURTHER RESOLVED** that the mayor is hereby authorized to execute said Agreement and City Staff is directed to do all things necessary in order to complete the real estate transaction between Bresson Construction, Inc., and the City of Ankeny, Iowa, for the purchase of said property.

**PASSED AND APPROVED** this 18th day of January, 2010.

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Steve Van Oort, Mayor

**ATTEST:**

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Pamela DeMouth, City Clerk